

Seneca Falls - Pick 4.

**DECLARATION AND NOTICE OF POOLED UNIT
DANIEL DURIG UNIT**

STATE OF WEST VIRGINIA)
COUNTIES OF WETZEL AND MARSHALL) KNOW ALL PERSONS BY THESE PRESENTS:

This Declaration and Notice of Pooled Unit is executed to be effective as of the 28th day of April, 2009, by the undersigned parties, who are the owners of an interest in the leasehold estates created under those certain Oil and Gas Leases and any renewals, extensions, ratifications and amendments thereof which are more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Leases"), or who are the owners of an interest in the oil and gas estate in the lands described in the Leases, who join in the execution hereof to evidence their consent to the pooling, unitization and combination of the leases and oil and gas estates herein described.

RECITALS

WHEREAS, each of the Leases authorizes the lessee thereunder to pool, unitize or combine all or a portion of the lands covered thereby with other land and leases, to form a pooled unit for the exploration, development and production of oil, gas and associated and constituent hydrocarbons from the lands covered by the Leases; and

WHEREAS, the pooling, unitization and combination of the Leases and oil and gas estates to the extent necessary to form the hereinafter described pooled unit are necessary and advisable in the judgment of the undersigned to efficiently and effectively develop the oil and gas rights within the unit.

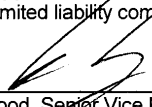
NOW, THEREFORE, in order to establish and provide proper notice of the creation of the hereinafter described pool or unit, the undersigned hereby declare as follows:

1. Declaration of Unit. In accordance with the provisions of the Leases, the undersigned do hereby declare, pool, unitize and combine the Leases, including all renewals, extensions, ratifications and amendments thereof, and the lands covered thereby and the oil and gas estates therein, to the extent necessary to form and create the Unit Area described below. Production from the Unit shall be allocated proportionately among all of the tracts within the Unit in the proportion which the number of surface acres of each Lease that lies within the Unit Area (as hereafter defined) bears to the total number of surface acres in the Unit Area, as described in Exhibit "A".
2. Description of Unit Area. The Unit Area (herein so called) shall consist of **582.91 acres**, more or less, being all or a portion of the leases listed on Exhibit "A" INsofar AND ONLY INsofar as the Leases fall within the boundary more particularly described and depicted on Exhibit "B", which is attached hereto and incorporated herein by reference for all purposes. This Declaration and Notice of Pooled Unit covers all production from the lands described on Exhibit "A" and Exhibit "B" which is produced from any well drilled within the Unit Area.
3. Unit Name. The pooled unit created hereby shall be known as the **"Daniel Durig Unit"**.

4. Effect of Pooled Unit. The effect of this Declaration and Notice of Pooled Unit shall be that operations and/or production (or the equivalent as in the case of shut-in payments) anywhere within the pooled unit shall be deemed to be operations and/or production on each separate tract sufficient to extend and maintain each included lease in the pooled unit.
5. Right to Amend. The undersigned hereby expressly reserve the right, from time to time, to amend this Declaration of Pooled Unit, and the respective terms and provisions hereof, and to change the size and area of, and interests covered by the pooled unit described herein, including without limitation, the power (i) to change, reduce, enlarge or extend the size or configuration of the Unit Area; (ii) to include in the pooled unit described herein or in any amendments hereto, additional lands and oil and gas leases, or interests in the lands described therein, covering interest in the Unit Area, which are secured or obtained subsequent to the date hereof, or prior to the date hereof and not included and described herein; (iii) to include in the pooled unit described herein or in any amendments hereto, full or undivided interests in the Unit Area which are not otherwise included herein by the respective owner of such full or undivided interests; and (iv) to change the allocation of oil and gas production attributable to the various lands, leases and owners thereof to conform with (i) – (iii) above.
6. Dissolution of Unit. The pooled unit formed hereby may be dissolved by Chesapeake Appalachia, L.L.C., acting as the Operator of the pooled unit, at any time by an instrument filed for record in Wetzel and Marshall Counties, West Virginia, after any failure to establish unit production or after cessation of operations upon the pooled unit.
7. Binding upon Assigns and Successors. This instrument shall bind, inure to the benefit of, and be exercised by heirs, assigns, and successors in interest of all parties. When the context requires, singular nouns and pronouns include the plural.
8. Counterparts. This document may be executed in one or more counterparts, each of which will be deemed to be an original for all purposes and all of which, when taken together, will be deemed to constitute one and the same document as if all signatures were included therein.

EXECUTED by the undersigned parties on the respective dates of acknowledgment hereof, to be effective for all purposes as of the date first above written.

Chesapeake Appalachia, L.L.C.
an Oklahoma limited liability company

By:  
Henry J. Hood, Senior Vice President --
Land and Legal & General Counsel

StatoilHydro USA Onshore Properties, Inc.

By:  
M.K. Williams
Land Manager- Onshore Gas, USA & Mexico

CORPORATE ACKNOWLEDGMENTSTATE OF Oklahoma)

) SS:

COUNTY OF Oklahoma)

On this, the 10th day of June, 2009, before me Delores R. Maxwell, the undersigned officer, personally appeared Henry J. Hood, who acknowledged himself to be the Senior Vice President – Land and Legal & General Counsel of Chesapeake Appalachia, L.L.C., an Oklahoma limited liability company, and that he as such Senior Vice President – Land and Legal & General Counsel, being authorized to do so, executed foregoing instrument for the purpose therein contained by signing the name of the limited liability company by himself as Senior Vice President – Land and Legal & General Counsel.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

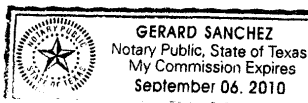
My Commission Expires: 01/08/2011Signature/Notary Public: Delores R. MaxwellName/Notary Public (print): Delores R. MaxwellCORPORATE ACKNOWLEDGEMENTSTATE OF TEXAS)

) ss.

COUNTY OF HARRIS)

On this, the 31ST day of AUGUST, 2009, before me Gerard Sanchez, the undersigned officer, personally appeared M. K. Williams who acknowledged himself to be the Land Manager- Onshore Gas of StatoilHydro USA Onshore Properties Inc., a corporation, and that he is authorized to execute this Agreement for and on behalf of Andy Winkle, Vice President- Onshore Gas of StatoilHydro USA Onshore Properties Inc., on behalf of said corporation, and that he as such Land Manager – Onshore Gas USA & Mexico, being authorized to do so, executed foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as Land Manager- Onshore Gas USA & Mexico.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 09-06-2010Signature/Notary Public: Gerard SanchezName/Notary Public (print): Gerard Sanchez

This document prepared by:
Donna L. Snyder, RPL
Chesapeake Appalachia, L.L.C.
900 Pennsylvania Avenue
Charleston, WV 25302

JAN PEST
MARSHALL County 03:11:23 PM
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Date Recorded 09/08/2009
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Additional \$6.00

Exhibit "A"

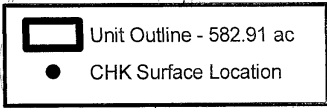
Attached to and made a part of that Unit Declaration dated April 28, 2009

DANIEL DURIG UNIT
Wetzel and Marshall Counties, WV

	Lease Number	LEASE NAME	LEASE DATE	RECORDING INFO	UNITIZED TAX ID NUMBERS	ACRES ON LEASE	ACRES IN UNIT	PERCENT OF UNIT
1	1255833-001	Wayne Karnhaus	06/20/2008	Book 93 Page 940 (Wetzel) Book 670 Page 641 (Marshall)	1-1-1	50	0.076	0.01%
1	1255833-002	Donald Karnhaus	06/20/2008	Book 92 Page 937 (Wetzel) Book 670 Page 638 (Marshall)	1-1-1	50	0.076	0.01%
1	1255833-003	Terry Brooks	06/20/2008	Book 94 Page 204 (Wetzel) Book 671 Page 12 (Marshall)	1-1-1	50	0.078	0.01%
1	1255833-004	Eula L. Church	06/20/2008	Book 94 Page 201 (Wetzel) Book 671 Page 9 (Marshall)	1-1-1	50	0.46	0.08%
1	1255833-005	Fred S. Wilkerson	07/01/2008	Book 94 Page 547 (Wetzel)	1-1-1	50	0.69	0.12%
2	1255016-000* (3031208)	Ellis O. Miller and Hope Miller	07/11/1961	Book 44-A Page 474 (Wetzel)	1-1-2	100	62.04	10.64%
3	1254865-000* (3026625)	Clyde E. Miller and Lesta Miller H. Ray Miller and Laverne Miller Blanche Miller Jacob V. Underdonk Charles A. Underdonk and Nancy Jane Underdonk Sara B. Dove and W. F. Dove	03/22/1962	Book 45-A Page 467 (Wetzel)	1-4-1	44	37.31	6.40%
4	1254791-000* (3026432)	Ellis O. Miller and Hope Miller Texan C. Miller and Martha G. Miller	01/03/1962	Book 45-A Page 183 (Wetzel)	1-4-2	20	17.21	2.95%
5	1245771-000* (3026870)	John Baker and Eloise Baker Warren A. Baker and Margaret Baker Lillian Neely and Kenneth Neely Gretta Alley and Otis Alley Ciara Baker Pyles and Wilby Pyles	10/23/1962	Book 47-A Page 119 (Wetzel)	1-4-14	65	10.73	1.84%
6	1245775-000* (3026431)	Ellis O. Miller and Hope Miller	01/09/1962	Book 45-A Page 180 (Wetzel)	1-4-18	40	9.76	1.67%
7	1254927-000* (3027647)	George N. Yoho	05/31/1954	Book 299 Page 65 (Marshall)	7-29-5	140	6.91	1.19%
8	1254928-000* (3027648)	George N. Yoho	05/31/1954	Book 299 Page 71 (Marshall)	7-29-7	54	2.04	0.35%
9	1254955-000* (3027960)	Okla J. Yoho and Guy Yoho, as Executors of the Estate of George N. Yoho, deceased; Okla J. Yoho and Denver Lee Yoho Guy Yoho and Margaret Yoho Osce B. Mason Olga Yoho Haines and Edwin D. Haines George I. Yoho and Annette Yoho	03/15/1965	Book 375 Page 211 (Marshall)	7-29-8	122	4.20	0.72%
10	1243395-000* (3027645)	George N. Yoho	11/26/1963	Book 367 Page 13 (Marshall)	7-29-8.1	142	56.74	9.73%
11	1240898-000* (3026392)	George N. Yoho	01/03/1962	Book 363 Page 387 (Marshall)	7-29-8.2	280	11.86	2.03%
12	1254840-000* (3026549)	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 353 Page 141 (Marshall)	7-29-14	100	92.69	15.90%
16	1254848-000* (3026550)	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 353 Page 145 (Marshall)	7-29-14	30	27.10	4.65%
14	1262316-000* (3026546)	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 45-A Page 325 (Wetzel)	7-29-25	58	25.47	4.37%
15	1243375-000* (3026403)	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 202 (Wetzel)	12-5-5	10	7.86	1.35%
16	1254782-000* (3026404)	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 235 (Wetzel)	12-5-6 12-5-6.1 12-5-6.2	155	108.53	18.62%
17	1254779-000* (3026394)	George N. Yoho	01/03/1962	Book 45-A Page 238 (Wetzel)	12-5-9	105	4	0.69%
18	1254781-000* (3026401)	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 206 (Wetzel)	12-5-11 12-5-11.1	90	87.67	15.04%
19	1245770-000* (3026530)	G. T. Durig and Inez Durig Daisy M. Emch Horner E. Morgan and Margaret Morgan Marie M. Schupbach and Paul Schupbach Malissa McCaskey and Joseph McCaskey Jack Morgan and Thelma Morgan Selma Morgan Virginia E. Wood and William E. Wood et al	01/04/1962	Book 45-A Page 442 (Wetzel)	12-5-19	77	0.09	0.02%
20	1245774-000* (3026429)	Ellis O. Miller and Hope Miller	01/09/1962	Book 45-A Page 176	1-4-19	93	9.32	1.60%
TOTALS:							582.91	100.00%

*Note: The subject lease has been modified to provide for unitization.

BOOK 0685 PAGE 0317
dated April 28, 2009



TESTE: _____ Clerk.